

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 APR 17 AM 11:18

UNITED STATES OF AMERICA,

Plaintiff,

v.

Lorena VILLAGRANA,

Defendant

Magistrate Docket No. 08 MJ 1181


COMPLAINT FOR VIOLATION OF DEPUTY

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

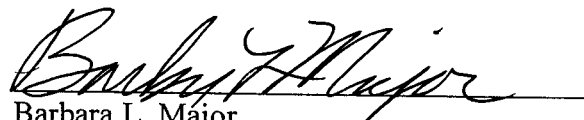
The undersigned complainant, being duly sworn, states:

On or about **April 16, 2008** within the Southern District of California, defendant, **Lorena VILLAGRANA**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF APRIL, 2008


Barbara L. Major
UNITED STATES MAGISTRATE JUDGE



CONTINUATION OF COMPLAINT:
Lorena VILLAGRANA

PROBABLE CAUSE STATEMENT

On April 16, 2008, at approximately 3:20 a.m., Border Patrol Agent C. Camacho responded to a call via service radio from the Imperial Beach Station Inside Scope Operator of four individuals heading west in an area known as "South Mesa." This area is approximately five miles west of the San Ysidro, California Port of Entry. Agent Camacho responded to the area and after a brief search encountered four individuals attempting to hide. This area is approximately 100 yards north of the United States/Mexico International Boundary.

Agent Camacho identified himself as a United States Border Patrol Agent and conducted an immigration inspection. One individual, later identified as the defendant **Lorena VILLAGRANA**, admitted to being a citizen and a national of Mexico without any immigration documents that would allow her to enter or remain in the United States legally. At approximately 3:40 a.m., the defendant was arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **November 8, 2004** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of her Miranda rights. The defendant stated that she understood her rights and was willing to answer questions without an attorney present. The defendant admitted that she is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that she had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally. The defendant stated she was going to Riverside, California to see her family.